

# **INDIANA BOARD OF PHARMACY**

**Indiana Professional Licensing Agency  
Conference Center Room W064  
402 W. Washington St.  
Indianapolis, IN 46204**

**MINUTES OF February 11, 2008**

## **CALL TO ORDER & ESTABLISHMENT OF QUORUM**

President and Presiding Officer William Cover called the meeting to order at 9:05 a.m. in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

### **Board Members Present:**

William Cover, R.Ph., President  
Del T. Fanning, R.Ph., Vice President  
Steve Anderson, R.Ph., Member  
Donna Wall, PharmD., R.Ph, Member  
Winnie Landis, R.Ph., Member  
Sara St. Angelo, PharmD, R.Ph., Member

### **Board Members not in attendance:**

Anika Calloway, J.D., Member

### **State Officials Present:**

Marty Allain, Board Director, Indiana Professional Licensing Agency  
Tasha Coleman, Case Manager/Temporary Asst. Dir., Indiana Professional Licensing Agency  
Gordon White, DAG, Advisory Counsel, Office of the Attorney General

A motion was made and seconded to adopt the agenda, as amended with the addition of a discussion regarding compounding under old/new business.

**Landis/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to adopt the minutes of the January 14, 2008 meeting of the Board.

**Landis/St. Angelo**

**Motion carried 6/0/0**

Reports were given by the Compliance Officers.

*Steve Anderson, Marty Allain, and Gordon White attended settlement conference.*

A representative for Wedgewood Village Pharmacy, Derek Shaffer, appeared before the board regarding its non-resident pharmacy renewal. A motion was made and seconded to table the renewal application.

**Wall/Landis**

**Motion carried 5/0/0**

*Anika Calloway present.*

McKesson's representatives appeared before the board regarding the Proposed Pharmaceutical Care Program in Indiana. A motion was made and seconded to require pharmacies to retain a

record of services rendered by the pharmacist with the record reflecting the pharmacist's information who provided the counseling.

**Landis/St. Angelo**

**Motion carried 6/0/0**

Daniel Weaver appeared before the board regarding violations of his probationary terms. A motion was made and seconded approve Mr. Weaver's appearance and changes to his PRN contract.

**Landis/Calloway**

**Motion carried 6/0/0**

Nicole Bednarz appeared before the board regarding NAPLEX testing. A motion was made and seconded to allow Bednarz to take the examination for a third time.

**Landis/St. Angelo**

**Motion carried 6/0/0**

Jen-Der Chen appeared before the board regarding NAPLEX testing. A motion was made and seconded to allow Chen to take the examination for a second time.

**Wall/St. Angelo**

**Motion carried 6/0/0**

Terri Cutshaw appeared before the board regarding her pharmacy technician application. A motion was made and seconded to table the pharmacy technician application pending the submission of anger management class information.

**Landis/St. Angelo**

**Motion carried 6/0/0**

Amber Treadway appeared before the board regarding her pharmacy technician application. A motion was made and seconded to table the pharmacy technician application pending an updated addictionology report from a Board approved addictionologist.

**Landis/St. Angelo**

**Motion carried 6/0/0**

Evansville State Hospital appeared before the board regarding its pharmacy application. A motion was made and seconded to approve the application.

**Wall/Calloway**

**Motion carried 6/0/0**

*Steve Anderson & Gordon White returned to meeting.*

Rebecca Rabbit appeared before the board on behalf of the Institute for the Certification of Pharmacy Technicians regarding its application for approval of its pharmacy technician program. The board approves EXCPT as a pharmacy technician certification. A motion was made and seconded to approve the pharmacy technician program.

**Wall/St. Angelo**

**Motion carried 6/0/0**

A representative for Walgreens #06454 appeared before the board regarding its pharmacy renewal application. A motion was made and seconded to approve the pharmacy renewal application.

**Landis/Fanning**

**Motion carried 4/1/2 (Calloway opposed; Wall & St. Angelo abstained)**

**In the Matter of the Indiana License of Thomas Moffat, R.Ph.**

License No. 45013689A

Administrative Cause No. 2007 IBP 0017

Re: Petition to Withdraw Probation

**Parties and Counsel Present:**

Thomas Moffat, Respondent

**Participating Board Members:**

Fanning

Anderson

Landis

St. Angelo

Cover

**Witnesses for the Respondent:**

Thomas Moffat

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed adverse the Respondent's pharmacy technician certification.

**Board Action:**

A motion was made and seconded to withdraw the probationary status of Respondent's license.

**Wall/St. Angelo**

**Motion carried 7/0/0**

**In the Matter of the Certification of Anthony Rupska, Pharmacy Technician**

License No. 67011845A

Administrative Cause No. 2008 IBP 0001

Re: Final Hearing

**Parties and Counsel Present:**

Christa Jewsbury, DAG

**Participating Board Members:**

Fanning

Anderson

Landis

St. Angelo

Cover

Calloway

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed adverse the Respondent's pharmacy technician certification. DAG Jewsbury presented a settlement agreement to the board.

**Board Action:**

A motion was made and seconded to accept the settlement agreement and revoke the pharmacy technician license of the Respondent.

**Cover/Fanning**

**Motion carried 7/0/0**

**In the Matter of the Certification of Christine Hurd, Pharmacy Technician**

License No. 67000582A

Administrative Cause No. 2007 IBP 0054

Re: Final Hearing

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

Elizabeth Ferguson, Certified Legal Intern

**Participating Board Members:**

Fanning

Anderson

Cover

Calloway

Landis

Wall

St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed adverse the Respondent's pharmacy technician certification.

**Board Action:**

A motion was made and seconded to issue a notice of proposed default to Respondent.

**Wall/Landis**

**Motion carried 7/0/0**

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

**Wall/Landis**

**Motion carried 7/0/0**

**In the Matter of the Certification of Kathy Uebel, Pharmacy Technician**

Certification No. 67000814A

Administrative Cause No. 2007 IBP 0011

Re: Extension of Summary Suspension

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning  
Anderson  
Cover  
Calloway  
Landis  
Wall  
St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

State of Indiana seeks to extend the summary suspension of Respondent's technician certification.

**Board Action:**

A motion was made and seconded extend the summary suspension of Respondent's certification for an additional ninety (90) days.

**Wall/Landis**

**Motion carried 7/0/0**

**In the Matter of the Indiana License of Gregory Dodds, R.Ph.**

License No. 26018437A

Administrative Cause No. 2002 IBP 0013

Re: Petition to Withdraw Suspension

**Parties and Counsel Present:**

Gregory Dodds, Respondent  
Mark Mader, DAG  
Elizabeth Ferguson, Certified Legal Intern

**Participating Board Members:**

Fanning  
Anderson  
Cover  
Calloway  
Landis  
Wall  
St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

Respondent petitioned to withdraw the suspension of his pharmacist's license.

**Board Action:**

A motion was made and seconded to withdraw the suspension and place the Respondent's license on probation terms pending the passing of the NAPLEX and the MPJE.

**Wall/Landis**

**Motion carried 6/0/1 (St. Angelo abstained)**

Betsy Lee and Carol Birk appeared before the board on behalf of the Indiana Patient Safety Center to discuss PharmaTAP which seeks to improve patient safety, quality, and efficiency in any setting where medications are manufactured, distributed, ordered, dispensed, administered and monitored.

**In the Matter of the Indiana License of Suranna Wallace-Ashman, R.Ph.**

License No. 26017205A

Administrative Cause No. 2007 IBP 0003

Re: Respondent's Motion to set aside Proposed Default and Default Hearing

**Parties and Counsel Present:**

Mark Mader, DAG

Christa Jewsbury, DAG

**Participating Board Members:**

Fanning

Anderson

Calloway

Wall

Landis

St. Angelo

Cover

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

The board issued a notice of proposed default adverse the Respondent for her failure to appear at her final hearing. Respondent subsequently timely responded to the notice seeking to set aside proposed default.

**Board Action:**

A motion was made and seconded to accept her response as timely.

**Wall/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to extend her emergency suspension by agreement until her criminal matter is resolved with the final hearing to be scheduled for July 2008 board meeting.

**Landis/Wall**

**Motion carried 7/0/0**

**In the Matter of the Indiana License of Susan Reynolds, R.Ph.**

License No. 26020899A

Administrative Cause No. 2007 IBP 0069

Re: Final Hearing

**Parties and Counsel Present:**

Susan Reynolds, Respondent

Philip Terrill, Respondent's counsel

Christa Jewsbury, DAG

Mark Mader, DAG

**Participating Board Members:**

Fanning  
Anderson  
Cover  
Calloway  
Wall  
Landis  
St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed against the Respondent's pharmacy license. The parties presented a settlement agreement.

**Board Action:**

A motion was made and seconded to accept the settlement agreement which includes placing the Respondent on probation.

**Anderson/Calloway**

**Motion carried 5/0/2 (Wall & St. Angelo abstained)**

**In the Matter of the Indiana License of Janet Thomas, R.Ph.**

License No. 26021981A  
Administrative Cause No. 2007 IBP 0067  
Re: Final Hearing

**Parties and Counsel Present:**

Christa Jewsbury, DAG  
Mark Mader, DAG

**Participating Board Members:**

Fanning  
Anderson  
Cover  
Calloway  
Wall  
Landis  
St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed against the Respondent's license.

**Board Action:**

A motion was made and seconded to issue a Notice of Proposed Default.

**Fanning/Landis**

**Motion carried 7/0/0**

A motion was made and seconded to place the Respondent on emergency suspension for ninety (90) days.

**Fanning/Wall**

**Motion carried 7/0/0**

**In the Matter of the Indiana License of James Sedam, R.Ph.**

License No. 26021735A

Administrative Cause No. 2007 IBP 0068

Re: Final Hearing

**Parties and Counsel Present:**

Christa Jewsbury, DAG

Mark Mader, DAG

**Participating Board Members:**

Fanning

Anderson

Cover

Calloway

Wall

Landis

St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A Complaint was filed adverse Respondent's license.

**Board Action:**

A motion was made and seconded to accept the agreement for a voluntary indefinite suspension pending the resolution of his criminal matter.

**Landis/St. Angelo**

**Motion carried 7/0/0**

**In the Matter of the Certification of Kristina Perkinson, Pharmacy Technician**

Certification No. 67000283A

Administrative Cause No. 2007 IBP 0012

Re: Default Hearing

**Parties and Counsel Present:**

Elizabeth Ferguson, Certified Graduate Intern

Mark Mader, DAG

**Participating Board Members:**

Fanning

Anderson

Cover

Calloway

Wall

Landis

St. Angelo



**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

An issue of notice of proposed default was issued adverse the Respondent.

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Wall/Anderson**

**Motion carried 7/0/0**

A motion was made and seconded to revoke the Respondent's technician certification.

**Wall/St. Angelo**

**Motion carried 7/0/0**

**In the Matter of the Certification of Jessica Napier, Technician-in-Training**

Certification No. 99025304A

Administrative Cause No. 2007 IBP 0008

Re: Default Hearing

**Parties and Counsel Present:**

Elizabeth Ferguson, Certified Graduate Intern

Mark Mader, DAG

**Participating Board Members:**

Fanning

Anderson

Cover

Calloway

Wall

Landis

St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A notice of proposed default was issued against the Respondent's license.

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Wall/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to revoke the Respondent's technician certification.

**Fanning/St. Angelo**

**Motion carried 7/0/0**

**In the Matter of the Certification of Melissa Jamey Nelson, Pharmacy Technician**

Certification No. 67005992A

Administrative Cause No. 2008 IBP 0007

Re: Summary Suspension

**Parties and Counsel Present:**

Christa Jewsbury, DAG

Mark Mader, DAG

**Participating Board Members:**

Fanning

Anderson

Cover

Calloway

Wall

Landis

St. Angelo

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Case Summary:**

A petition for summary suspension was filed by the State of Indiana adverse the Respondent's technician certification. An agreement was submitted by the State.

**Board Action:**

A motion was made and seconded to accept the voluntary indefinite summary suspension of the Respondent's license.

**Landis/Wall**

**Motion carried 7/0/0**

The Board approved the appearances of the following probationers:

Gregory Claretto  
Angela Kruer  
Charles Lindstrom  
Dennis Mock  
George Moffat  
Elaine Niese  
Kevin Querry  
Eric Spray  
Harish Nair

**Fanning/Calloway**

**Motion carried 7/0/0**

The Board approved the appearances of the following probationers:

Gerry Bowman  
Shelley Brown  
Ronald Maze  
Traci Holling

**Anderson/St. Angelo**

**Motion carried 7/0/0**

The Board approved the appearances of the following probationers:

Bruce Burch  
Robert Jaberg  
Thomas MacLean  
Michael Long

**Landis/Wall**

**Motion carried 7/0/0**

Theresa Moore and Stephen Szlwaski did not appear for their probationary appearances.

A motion was made and seconded to approve the pharmacist application for Theresa Helmy.

**Wall/Calloway**

**Motion carried 7/0/0**

A motion was made and seconded to approve the license transfer application of Maria Damato.

**Wall/Fanning**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following continuing education applications:

Sarah Williamson	(0.5 hr)
Wabash Valley Pharmaceutical Association	(7 – 1 hr)
Zsolt Hertelendy	(14.5 hrs)
Autumn Gordon	( 0.5 hr)
Timothy Lee Johnston	(1 hr)
Alicia Thorne	( 1 hr)
Nehal Pandya	(0.5 hr)
Brian Wolfe	(1 hr)
Kevin Patel	(1 hr)

**Landis/Wall**

**Motion carried 7/0/0**

A motion was made and seconded to accept Elizabeth Bearby's twenty six (26) continuing education hours.

**Landis/Calloway**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following pharmacy technician applications with positive responses:

Sandra Duncan  
Jan-Marie Neaville  
Marisa Thomas  
Jill Cawthron  
Alexa Hartley  
Brett Holderman  
Brecquelyn Burkhammer  
Autumn Keown

**Fanning/Calloway**

**Motion carried 7/0/0**

A motion was made and seconded to deny Seth Houin's pharmacy intern application.

**Fanning/Anderson**

**Motion carried 7/0/0**

A motion was made and seconded to request personal appearances for Catherine Field, Jaren Southwick and Michael Zaborowski.

**Fanning/Wall**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following requests for age waiver for a pharmacy technician application:

Sylvia Morefield

**Fanning/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to request personal appearances for the respective qualifying pharmacists regarding the following age waivers for pharmacy technician applications:

Chelsea Allen  
Katelyn Austin

**Fanning/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to request a personal appearance regarding her request for a second technician-in-training permit.

Jenny Clark

**Fanning/Landis**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following non-resident pharmacy applications

Boothwyn Pharmacy, Inc. – Positive Response  
New England Mail Order Pharmacy – Positive Response  
Critical Care Systems  
Abrams Royal Pharmacy  
Medfusion Rx, LLC

**Calloway/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to table the following non-resident pharmacy application:

E Fill Rx, Inc.

**Calloway/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to table the following non-resident pharmacy application with requests for additional information:

Coram Alternate Site Services, Inc.

**Calloway/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following wholesale drug distribution application pending VAWD:

Exact-Rx, Inc.

**Anderson/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following closed store applications:

Animal House  
CVS #6814

**Calloway/Wall**

**Motion carried 7/0/0**

A motion was made and seconded to issue probationary licenses to the following home medical equipment providers:

Med-Depot, Inc. New Castle, IN  
Med-Depot, Inc. Dallas, TX

**Anderson/St. Angelo**

**Motion carried 7/0/0**

## **MISCELLANEOUS**

Board Director's Report

## **OLD/NEW BUSINESS**

Discussion on Prescription Security Paper

A motion was made and seconded to renew the following license contingent upon the completion of MPJE:

Cynthia Posey

**St. Angelo/Wall**

**Motion carried 7/0/0**

A motion was made and seconded to table the following prescription pad to meet security requirements:

Fourth Street Business Forms  
Rx PROvisions, Inc.  
Wise Business Forms, Inc.

**St. Angelo/Anderson**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following EDI applications:

Biodose Online Ordering System  
Cardinal Health Nuclear Pharmacy Services

**Cover/St. Angelo**

**Motion carried 7/0/0**

A motion was made and seconded to approve the following intern hours as submitted:

Samuel Watkins for 510 additional hours

**Cover/St. Angelo**

**Motion Carried 7/0/0**

The meeting adjourned at 5:05 p.m.

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**William Cover, R.Ph., President**  
**Indiana Board of Pharmacy**

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**Date**

**Next Scheduled Meeting:**

Monday, March 10, 2008  
Indiana Professional Licensing Agency  
Conference Room W064